

The Lyon Office
AND
The Marjoribanks Family.

A REPLY TO THE REMARKS OF THE
LYON CLERK DEPUTE,

ENTITLED

"MR. JOSEPH FOSTER ON THE RETURN OF MEMBERS OF PARLIAMENT."

Reprinted from "COLLECTANEA GENEALOGICA," Part VIII.

SECOND EDITION.

PRINTED FOR THE AUTHOR,
BY
HAZELL, WATSON, AND VINEY, LONDON AND AYLESBURY.

THE
Kings of England and their Descendants.
By JOSEPH FOSTER.
BEING
GENEALOGICAL NARRATIVES OF
OUR NOBILITY AND GENTRY.

Illustrated with Chart Pedigrees,
SHOWING THEIR ROYAL LINEAGE.

Specially Bound for the Drawing-Room table.

IT is not a little remarkable that the Pedigrees of our Nobility and Gentry who inherit the BLOOD ROYAL deriving from Kings Henry III., Edward I., Edward III., and Henry VII., etc., should have remained, for the most part, unpublished, including, as they do, nearly all the chief historical personages of the Middle Ages, the majority of whom are now only represented through females.

This—by far the most interesting—branch of genealogical lore is, according to many, even of greater literary importance than our extant Peerage and Baronetage: for it not only embraces the families of the highest in the land, but also includes the histories of our extinct nobility and gentry, together with many pedigrees of the aristocracy, once ranked among the landed gentry, but now, owing to the vicissitudes of families, classed among the great unacred; it therefore affords ample scope for the genealogist and historian.

Every pedigree admitted into this collection must be worked up to the Editor's standard of completeness, and each family should arrange for the expense of printing. This work will be similar to the Peerage and Baronetage, with the addition of chart pedigrees (see next page); and will contain a very great number of hitherto unpublished Descents, many of them derived from the Editor's private collection, and relating to persons who are probably unaware of possessing the distinction. The descendants of these historical families will thus have the advantage of possessing, in a handy and elegant volume, a genealogical account of their illustrious ancestors, as well as of their immediate relatives. The fictitious and erroneous Descents printed elsewhere will be omitted.

“While speaking of Mr. Foster's magnificent volume (the Peerage and Baronetage), we would take the opportunity of calling special attention to an announcement of another work on which he is now engaged, and which, when completed, will be one, not only of National or European, but of universal importance. It is entitled, ‘*The Kings of England and their Descendants; being Genealogical Narratives of the Royal Descents of our Nobility and Gentry,*’ and has for its aim the giving in proper form the pedigrees of our nobility and gentry, in whose veins, no matter how far removed, the blood Royal has coursed, and is still coursing, ‘in all their ramifications as regards present representatives.’ The labour will be enormous, but the results, in such hands as Mr. Foster's, cannot but be eminently satisfactory, and we shall long to see the first of his volumes.”—*The Reliquary*, July, 1880.

Mr. Foster is collecting Royal Descents for publication, and he will therefore be very glad to receive pedigrees for this object; or, as his collection on this subject is already very extensive, he will, if required, investigate the pedigrees of those who have reason for supposing that they derive from the blood Royal, and may wish to have the descent worked out and printed in this collection. Particulars on application to Mr. Foster, 21, Boundary Road, London, N.W.

[See 3rd page of Wrapper.

July 26. 1882. Sent to me, Why I know
not. Read because Marjoribanks was
amongst the correspondents of Daniel Campbell
about 1720. I think. Better were Marjoribanks

The Lyon Office

AND

The Marjoribanks Family.

A REPLY TO THE REMARKS OF THE LYON CLERK DEPUTE,

ENTITLED

"MR. JOSEPH FOSTER ON THE RETURN OF MEMBERS OF PARLIAMENT."

PREFACE.

AS no less a personage than Mr. Stodart, the Lyon Clerk Depute,—who from his designation should yield to the Lyon King of Arms alone as the greatest official authority on Scottish Heraldry and Genealogy,—has taken upon himself in a current publication to criticise my recent genealogical works with warmth rather than with accuracy, I feel that, in justice to myself, I should place the subscribers to my "Collectanea" in possession of my side of the case.

Reading between the lines of this embittered article, I take it that the aim of Mr. Stodart's attack is not so much a disinterested criticism of my work on the Members of the Scottish Parliaments, as an attempt to weaken or discredit the strictures I have from time to time felt bound to make, regarding the worthlessness, both of the "services" on account of Nova Scotia baronetcies and of the (*printed*) pedigrees founded thereon, and also regarding the peculiar mode of conducting the business of the Lyon Office, in improperly granting these self-styled baronets, on evidence wholly insufficient, the arms and supporters which undoubtedly pertain to the Baronetcy they have improperly assumed.

It will, however, naturally suggest itself to genealogists that I chiefly owe the honour of being thus assailed by the Lyon Clerk Depute to the criticisms in my Peerage on Lord Tweedmouth's "*proved and registered pedigree*" as officially recorded by the Lyon King of Arms. These criticisms, which merely touched the fringe of my well-grounded suspicions, were of necessity "odd comments" (to quote Mr. Stodart), for they were inserted with the object of placing the authorities at the Lyon Office on their defence, and of thus demonstrating that they dare not uphold the audacious assertion in their "proved and registered pedigree" (see page 64), for they know that there is not one shred, one tittle of evidence to support, much less to substantiate, their statement that Joseph Marjoribanks was grandson of the lord clerk register. The exposure which I am now about to make is the inevitable consequence of Mr. Stodart's reply.

Now that the stone has at last been thrown, I need no longer hesitate to tear away the mask from this later example of a Lyon Office pedigree, and to explain away some of the statements, and correct some of the inaccuracies in the article of the Lyon Clerk Depute. The review of the pedigree will reveal the most

determined genealogical fiction perpetrated by an officer of arms within living memory. Before it pale such *minor* delinquencies as simple mis-affiliations, the deliberate manufacture, *i.e.*, fabrication of a date, and the more ludicrous assignment as ancestor to a younger branch of the family, of a brother junior to a posthumous child, an anomaly I believe in nature, if not among the Lyons of Scottish genealogy. I think it will be universally conceded that the confession of the Lyon Clerk Depute contained in paragraph 10, page 68, and the posthumous absurdity in No. 3 pedigree, etc., etc., page 70, would be more than sufficient to condemn these pedigrees, even without the conclusive evidence which I am about to bring forward in disproof of the alleged descent from the lord clerk register. The evidence will, I trust, go far to show that I am more conversant with Scottish genealogy and the *matériel* necessary to construct this pedigree than the present authorities of the Lyon Office.

The Lyon Office has a *modus operandi* happily peculiar to itself. Descents are "solemnly" recorded in pedigree form, though absolutely devoid of evidence, as may readily be seen from those which appear in this article. True, a meagre date appears at intervals, but invariably so inserted as to preclude the possibility of criticism, and to be deprived of all evidential value.

Nor is this all; for from the materials which are collected during the construction of the original "recorded" descent, subsequent and more comprehensive pedigrees are compiled and issued from the Lyon Office to the uninitiated and unsuspecting public, who have neither the faintest suspicion of the peculiar process by which these productions have been evolved, nor the slightest conception of the distrust in which they are held by the genealogist. This mode of procedure, which is referred to more fully at page 69, considerably increases my task; for having three pedigrees to deal with, when one should have sufficed, I am compelled to subdivide my criticisms accordingly.

With these remarks I will address myself to the purposes of this article, commencing with the Marjoribanks pedigree, as being of greater importance, and therefore of greater interest to my readers, than the other subjects.

Contents.

	PAGE		PAGE
(1) Preface	61	(8) Remarks upon the issue by the Lyon	
(2) Summary	63	office of different pedigrees of the	
(3) "Proved and registered pedigree" of		same family	69
Lord Tweedmouth, No. 1	64	(9) Pedigree of Majoribanks of Marjori-	
(4) "Odd comments" reprinted from Mr.		banks	70
Foster's Peerage	64	(10) Lord Tweedmouth and the Lyon	
(5) The rejoinder of the Lyon Clerk Depute,		Office	72
together with Mr. Foster's criticisms	65	(11) Mr. Joseph Foster on the Return of	
(6) Extract from the Guild registers of		Members of Parliament	73
Edinburgh	66	(12) Discredited baronetcies	75
(7) Lord Tweedmouth's pedigree, with		(13) Mr. Foster's Peerage	75
variations, No. 2	69		

Summary of the Principal Inaccuracies

IN THE

Marjoribanks Pedigrees.

SECTION I.

(A.) Disproof of statement in the Lyon Office "proved and registered pedigree," that Lord Tweedmouth is descended from Thomas Marjoribanks, lord clerk register and lord of session. See paragraph 7, page 66.

This statement is founded on an alleged identity between

a James Marjoribanks who was undoubtedly son of Thomas Marjoribanks and

a James Marjoribanks who was undoubtedly Lord Tweedmouth's ancestor; which identity is capable of disproof absolute.

(B.) Disproof of the statement in the Lyon Office "proved and registered pedigree," that James, father of Joseph, died 1581. See paragraph 8, page 67.

(C.) Disproof of the statement in the Lyon Office "proved and registered pedigree," that Lord Tweedmouth is descended from Edward Marjoribanks of Hallyards, by his marriage with Agnes Murray. See paragraph 9, page 68.

It is stated in the Lyon office pedigrees that a son Edward Marjoribanks the younger was born of this marriage, and was ancestor of Lord Tweedmouth. No such son Edward is to be found among the baptismal or other entries of their children.

(D.) Disproof of the existence of Edward Marjoribanks the younger, alleged in the Lyon Office "proved and registered pedigree" to be the ancestor of Lord Tweedmouth. See paragraph 10, page 68.

The only statement that such an individual ever existed is to be found in the record of his birth, of which the actual date is given in the Lyon office pedigree No. 2, page 69. It is now admitted by the Lyon Clerk, Depute that this date is a fabrication, pure and simple.

SECTION II.

(E.) Disproof of the statement in the official Lyon pedigree that Thomas Marjoribanks, son of the lord clerk register, was ancestor of Marjoribanks of Balbairdie. See paragraph 12, page 70.

This statement is at once disproved by reference to "Lord Lyon's" account of Marjoribanks of Marjoribanks. See pedigree No. 3, pp. 70, 71, where the descent is deduced from John, eldest son of the lord clerk register.

SECTION III.

(F.) Disproof of the statement in the "Lord Lyon's account" that Marjoribanks of that ilk is descended from John, younger son of John Marjoribanks of Ratho. See paragraph 13, page 71.

This statement is disproved by reference to two deeds of "Gift by the Queen," where the only issue of John Marjoribanks of Ratho is practically declared to be a posthumous son Thomas. See paragraph 13, page 71.

(G.) Disproof of the statement in the Lyon Office "proved and registered pedigree" that Joseph Marjoribanks was son of Joseph Marjoribanks, of Leuchie, by Margaret Sinclair, his wife. See paragraph 14, page 72.

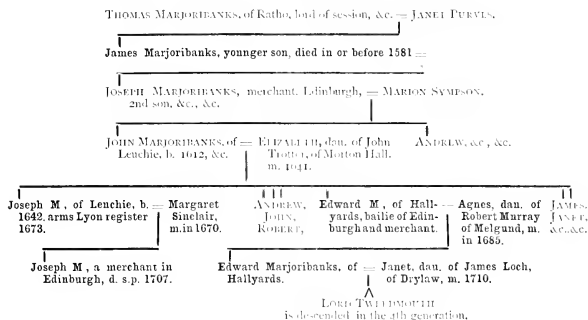
His testament dative was given up by "Margaret Brown, relict of Thomas Edgar, chirmgeon apothecary, burgess of Edinburgh, formerly spouse to the said deceased Joseph Marjoribanks, of Leuchie, and mother to the said deceased Joseph Marjoribanks, sailor, etc."

SECTION I.

The following is the discredited portion of the

No. I "GENEALOGY OF SIR DUDLEY COUTTS MARJORIBANKS, BART."

Recorded in the Lyon Office, Scotland, 21 April, 1868:—



IN order that the rejoinder—possibly the inspired rejoinder—of the Lyon Clerk Depute may be fully understood I must reprint the "odd comments" on the above pedigree from my *Peerage*, which are as follows:—

Foster's Peerage 1882, page 666.

LORD TWEEDMOUTH, according to some authorities, claims to be descended from Thomas Marjoribanks, who was a lord of session 1540, with the title of Lord Ratho, etc., etc., through his son James, who died in 1581, leaving two sons, Symon and Joseph, of Edinburgh, merchants. In the account referred to there is not even *prima facie* evidence to favour these meagre statements, and it is extremely dubious whether they can be substantiated; at any rate, it is believed that the following notes will go far to show that a counter-descent can easily be constructed from the wills of individuals named.

PARAGRAPH 1.—Margaret, dau. of the deceased Mr. Thomas Marjoribanks, of Ratho, made her will 30 July, 1573, appointed her brother James an executor, but he renounced on or about 21 Feb., 1576-7.

PARAGRAPH 2.—James Marjoribanks, burgher, of Edinburgh, made his will and inventory 8 April, 1569 (and died that month), contained 2 Feb., 1581; mentions, *inter alios*, son Symon and brother Symon, but no Joseph is named.

PARAGRAPH 3.—As it is needless to point out that James Marjoribanks, who died 1569 (not in 1581 as stated), would be unable to renounce in 1577, so it is almost superfluous to add that, as no son Joseph is named by James in 1569, Lord Tweedmouth's claim to descend, as alleged, from the lord of session, must be considered to be unsustainable.

PARAGRAPH 4.—Joseph Marjoribanks, of Edinburgh, merchant burges (sole heir and executor dative of his brother James Marjoribanks, merchant burges of Edinburgh, who died May, 1603), acquired lands in Salt Preston (Prestonpans), from George Hamilton portmorer died Nov., 1635; in his will, dated 23 May, 1635, confirmed 2 July, 1636, styles himself "elder merchant burges of Edinburgh;" married Marion, sister, and in her issue co-heir, of Andrew Symson, merchant burges of Edinburgh; she died June, 1621, (testament dative confirmed 3 Jan., 1623,) and had at least three sons and two daughters.

STODART ON FOSTER.

"Lord Tweedmouth's proved and registered pedigree is not satisfactory to Mr. Foster, who makes some odd comments. We shall only say that James Marjoribanks did not renounce the executy of his sister Margaret; Joseph is satisfactorily proved to be son of James, both having been merchant burgesses of Edinburgh: the James said to have died in April 1569, never was, as Mr. Foster gratuitously asserts, identified with James, the father of Joseph."

FOSTER ON STODART.

PARAGRAPH 5.—The ominously brief rejoinder of the Lyon Clerk Depute is, I am bound to point out, as slipshod as it is inaccurate; and as he leads off by flatly contradicting me, I herewith print the "renunciation of executy," which he so "cavalierly" denies. It tells its own tale.

WILL of Margaret Marjoribanks, lawful daughter of the deceased Mr. Thomas Marjoribanks, of Ratho, died in August 1573. Her will is dated 30 July 1573. She nominates her only executors "James Marjoribanks her brother germane, Janet Marjoribanks and Bessie Marjoribanks her sisters."

In the confirmation by Mr. Robert Maitland, commissary of Edinburgh, of date 21 Feb. 1570-7, it is declared that the two sisters alone accept the executy, "because the said James Marjoribanks, the vther executor above writtin in our presens has renuncit the said office as he act thereupon bears." *Edinburgh Register of Wills*, vol. 5.—21 Feb. 1570-7.

PARAGRAPH 6.—The rejoinder of the Lyon Clerk Depute is—to say the least—also evasive, for my contention is clearly shown by the extracts from my Peerage (see paragraph 3) to be that "Joseph was not son of, *James son of Lord Ratho*," and not merely that he was not the son of a certain or any James Marjoribanks. My objection to the statement that *James, son of Lord Ratho*, died in 1581 is left unnoticed for obvious reasons, and reference to the affiliation of James, the father of Joseph, is slurred over with equal adroitness; for Mr. Stodart shrinks—as well he may—from frankly facing my "odd comments," for neither he nor the Lyon King of Arms will now state—for they dare not—who was the father of James, and therefore the grandfather of Joseph; neither will they produce—for they cannot—any evidence whatever to favour, much less to prove, their statement that the lord clerk register was father of James Marjoribanks, the ancestor of Lord Tweedmouth.

The Lyon Clerk Depute does not seem to recognize the meaning of the term "gratuitously," for I "asserted" (to employ Mr. Stodart's words) that "*the James said to have died*" (why "said"? there is no question about his death in 1569, and this cavilling innendo merely betrays the irritation of the Lyon Clerk Depute.) "*in 1569 was identified*" (by the Lyon office) "*with James, the father of Joseph*," not "gratuitously," but because (as will be seen below) Lyon's "*proved and registered*" date of the latter James' death is obviously taken from the confirmation of the former James' will. My view is clearly corroborated by the Lyon office identification of Symon, the burges of 1571 (see paragraph 11, page 69), for Lyon makes Symon and Joseph sons of the same James (see pedigree, page 69), who is styled *unquhile* in 1571, and whom it is not too much to suppose to be identical with the testator James, who died in 1569; thus the very burges rolls on which Mr. Stodart relies affords the most conclusive refutation of his own assertions. Really the Lyon Clerk Depute should write under supervision, and with his authorities at command.

(A.) *Disproof of statement in the Lyon Office "proved and registered pedigree," that Lord Tweedmouth is descended from Thomas Marjoribanks, lord clerk register and lord of session.*

PARAGRAPH 7.—The above pedigree states that Thomas Marjoribanks, of Ratho, lord of session, had a younger son James, *who was father of Joseph*, the ancestor of Lord Tweedmouth. That the lord clerk register had a son James is proved by the deed of gift (see par. 13, page 71), 10 Dec. 1550, *privy seal register*, vol. xxiv., folio 38. According to the hypothesis of the Lyon office, James Marjoribanks, son of the lord clerk register, was father of at least two sons, Simon and Joseph (see pedigree, page 69). Now this Simon admittedly occurs in the burgess roll (on which the Lyon Clerk Depute so unfortunately relies) as son of James Marjoribanks, but when he was admitted 3 April 1571 it was as "Symon M., eldest son of umquhile James," that is to say, his father Symon was dead before that date, which goes far to confirm the conviction that he was the testator of 1569 as "gratuitously asserted."

But the James Marjoribanks who was son of the lord clerk register was, as is proved by the Lyon Clerk Depute, certainly alive, not only on 21 Sept. 1571, when he executed a deed of tack, but even 21 Feb. 1576-7, when he renounced (notwithstanding the emphatic denial by the Lyon Clerk Depute) the execruty of his sister Margaret, who, oddly enough, is wholly omitted from all Lyon office versions of the lord clerk register's issue, though of his numerous children who lived to maturity, she is the only one whose will is now on record. But all this is mere fencing, for subsequently to these dates, and even to the date assigned for his death in the "proved and registered pedigree," he is positively discovered taking to himself a wife, though his marriage is with characteristic nonchalance omitted from this production of the Lyon office. Nay, so long did this James survive his "*proved and registered*" death, that, with singular disregard for the pressing requirements and the ruffled feelings of a Lyon King of Arms, he turns up even in the following century, as utterly irrepressible as the *whilom* Rip van Winkle.

To illustrate my criticism on the affiliation of James the father of Joseph, I have printed from the Edinburgh burgess rolls the 16th century entries with some later ones relating to the family. These extracts favour my profound conviction that James was son of Symon (see admission 2 Oct. 1563), and such I do not hesitate to say he will undoubtedly prove to be. Indeed they serve the additional and very useful purpose of clearly proving that there were several families of the name *anterior to and contemporary with* the lord clerk register. How, then, may I ask, does it come to pass that the genealogical pitchfork of the Lyon King of Arms secured the lord clerk register in preference to any other equally available though untitled ancestor? The wills of the period, which are very scanty, afford no assistance.

Extracts from the Guild Register of Edinburgh, which commences 17th May, 1487.

- | | |
|---|--|
| <p>1508 March 28. Johannes Marioribank effectus est confrater Gilde et sumit [pro libertate v. lib., vol. i., folio 116.</p> <p>1515 March 29. Symoun Marioribank, effectus est confrater Gilde et sumit pro suo libertate ratione sponse filie quondam Johannis Grahame, xxj^s viii^d. [Vol. i., fol. 119.</p> <p>1516 March 14. Jacobus Marioribank, effectus est burgensis et confrater Gilde ratione sponse sue Cristine filie Johannis Adamsoun et sumit pro libertate [xij^s iiij^d. Vol. i., folio 121.</p> | <p>1517 August 17. Johannes Purves mercator effectus est confrater Gilde et sumit pro libertate, v. crouns. V. i., fo. 128.</p> <p>1537 February 15. Magister Thomas Marioribankis effectus est frater Gilde ratione sue sponse Janete Purves filie Johannis Purves et sumit xij^s iiij^d. [Vol. i., folio 22.</p> <p>1519 October 10. Johannes Marioribankis Pelliparius effectus est frater Gilde et sumit pro libertate Decano Gilde fabrice ecclesie iiij lib. Vol. i., folio 27.</p> |
|---|--|

- 1561 August 7. The quhilk day Maister Jhone Marioribankis, soun and air of Vmquhile Jhone Marioribankis is maid burges and gild brother and payit for his freedome be resoun of the privilegie of his father xx^s. Vol. i., [folio 61.
- 1563 October 2. The samyn day in presence of the Provost and David Foster, Baillie, James Marioribankis is maid Gild brother be rycht of Symoun Marioribankis his father and hes payit [xx^s. Vol. i., folio 72.
- 1564 June 22. The quhilk day in presence of Maister John Spens, baillie, Michael Marioribankis aue of the soneis of Vmquhile James Marioribankis be the rycht of his said father is maid burges and gild brother and sould payis for his dewtie threthene schilling four pennies [but given gratis. Vol. i., folio 75.
- 1571 April 3. The quhilk day Symoun Marioribankis eldest son of vmquhile James Marioribankis is maid burges and gild brother be rycht of his said father and hes payit sex^s. Vol. i., [fol. 101.
- 1577 October 22. The quhilk day Thomas Marioribankis eldest soun of vmquhile Johnne Marioribankis is maid burges and gild brother and hes payit be rycht of his father sex^s. Vol. i., [fol. 144.
- 1602 July 13. The quhilk day in the presence of Johnne Robertoun Deane of Gild and the Gild Counsaill Joseph Marioribankis second lawful sounne to vmquhile James Marioribankis merchant burges and gild brother of this burgh is maid burges and gild brother of the same be rycht of his said father. Compearand sufficientlie armit with ane furneist hagbuit and hes given his aith in maner abowewritten and pay it for his ductie to the Deane of the Gild [xxx^s iiij^d. Vol. ii.
- 1606 March 19. The quhilk day in presence of Johnne Robertoun Deane of gild and the Gild Counsaill, Maister Thomas Mairjorebanks, sounne lawful to vmquhile Mr. Thomas Mairjorebanks, Clerk of Register, burges of this burgh compearand sufficientlie armit with ane furneist Hagbuit is maid burges of the same be rycht of his said father and hes given his aith in maner above written. And hes payit for his dewtie to the Deane of Gild xij^s iiij^d. And James Forrett skynner become souertye for payment of his extents and watches and that he sal not be burdenable to the guid toun at any tyme heir- [after. Vol. 2.
- 1606 July 30. The quhilk day in presence of Johnne Robertoun Dene of Gild and the Gild Counsell James Merjoribankis Hat maker eldest lauchfull sone to Mr. Thomas Merioribankis, Burges of this burgh, compearand sufficientlie armit with ane furneist hagbuit Is maid burges of the same be rycht of his said father and has giffin his aithe in maner above written. And hes payit for his dewtie to the Dene of gild xij^s iiij^d. Vol. 2

(B.) *Disproof of the statement in the Lyon Office "proved and registered pedigree," that James, father of Joseph, died 1581.*

PARAGRAPH 8.—It has just been shown that James, the (Lyon Office) father of Joseph (admittedly brother of Symon), was dead before 1571, and it was said that this strengthened the conviction that he was identical with the James Marjoribanks who made his will 8 April 1569 (see paragraph 2), and died the same month. Now the "*proved and registered*" James Marjoribanks is said to have died "in or before 1581, or—according to one of these complementary pedigrees which are so dear to a large-hearted Lyon—"in 1581," the latter and wholly unqualified assertion being the result of the Lyon's growing courage. But if we would trace this assertion to its source, we must take it in its primitive and more hesitating guise. No genealogist would fail to form his own conclusions when he compares the suspicious date, "in or before 1581," with the fact that the will of a James Marjoribanks was "confirmed" in 1581. He will infallibly detect the derivation of the date, and he will readily perceive that there are the best of reasons for not divulging the authority by which Lyon has been so cruelly deceived.

(C.) *Disproof of the statement in the Lyon Office "proved and registered pedigree," that Lord Tweedmouth is descended from Edward Marjoribanks, of Hallyards, by his marriage with Agnes Murray (see page 64).*

THE above pedigree states that Edward Marjoribanks, of Hallyards, &c., married, in 1685, Agnes, dau. of Robert Murray, of Melgund, and had a son Edward, of Hallyards, who married, 1710, Janet, dau. of James Loch, of Drylaw.

PARAGRAPH 9.—The utter absence at this point, of dates and places of births and deaths disarms suspicion. I will, however, reserve the complete exposure until I deal with the next point, when I shall have established an accumulation of evidence which will be acknowledged by all to be overwhelming (see next paragraph). I am unable, after searching in every likely parish register, to find the baptism of Edward, son of Edward. It is singular that Edward's wife, Agnes Murray, was buried as Mrs. Jean Murray, at Greyfriars, Edinburgh, 17 March, 1710, and that the burial is recorded twice in that registry.

(D.) *Disproof of the existence of Edward Marjoribanks the younger, as alleged in the Lyon Office "proved and registered pedigree," to be the ancestor of Lord Tweedmouth.*

PEDIGREE No. 2 (see next page) states that Edward Marjoribanks, of Hallyards, &c., married in 1685 Agnes, dau. of Robert Murray, of Melgund, and had a son, Edward, of Hallyards, born 1688, married 1710 Janet, dau. of James Loch, of Drylaw.

PARAGRAPH 10.—The date of birth of the "*proved and registered*" Edward Marjoribanks in 1688 does not occur in Pedigree No. 1 (see page 64). Although I discovered the baptisms of children of Edward Marjoribanks and Agnes Murray, I was unable to find the baptism of Edward, as already stated in the above paragraph. As a date of birth was given, I was compelled to retain the belief that it had its origin in fact: had none been recorded, I should unhesitatingly have solved this Lyon office *crux*, by giving this "*proved and registered*" daughter-in-law, in marriage to her "*proved and registered*" father-in-law, as his second wife. Was it because the second marriage took place only a few months after the first wife's death, that Lyon evidently shrank from perpetuating what seemed to him a family scandal?

My suspicion that there was only one Edward, and he blessed with two wives, was therefore placed *hors de combat*. In despair I wrote to ask the Lyon Clerk Depute where I should find the entry of baptism. Here are his own words, extracted from his letter dated 25 May, 1882:—

"Unfortunately no entry of the baptism of Edward Marjoribanks
"has been found; Edward, the father, married Agnes Murray 1685,
"and had

"Jean, 1686;

"George, 1687;

"Elizabeth, 1689.

"As Edward, who succeeded his father, married in 1710, this
"seems to make it all but certain that his birth took place in 1688."

No wonder then that the baptism of this "*proved and registered*" Edward Marjoribanks has not been found; he does not belong to mortals, and "succeeded his father" only on the disastrous instinct of the pedigree-maker. Here we have the deliberate fabrication of a date for really no purpose, but from what I have yet to disclose I have little doubt but that similar "guesses at truth" are to be found in the early generations of these pedigrees: *C'est magnifique, mais ce n'est pas la généalogie.*

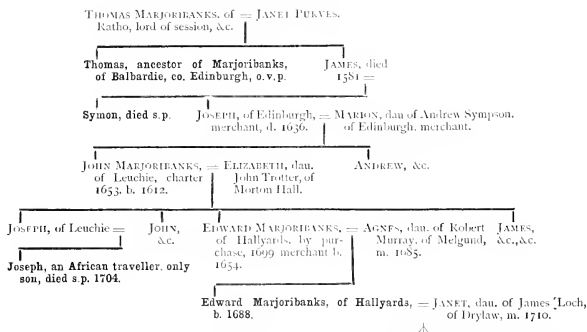
I apprehend that even the most partial reader will admit that the acknowledgment of the insertion of this date is fatal to this "*proved and registered*" son, and that the probabilities of Edward's two marriages are confirmed. The whole of my evidences have uniformly tended in that direction.

SECTION II.

The following is the discredited portion of the

No. 2 "GENEALOGY OF SIR DUDLEY COUTTS MARJORIBANKS, BART."

From the archives of the Lyon Office, Scotland:—



IN combating the very dangerous and highly improper practice of having different pedigrees of the same family, and allowing them to be circulated as equally authorised, some persons may consider that I am straining a point to make out a case. In order to meet the charge of special pleading, I may state that the pedigree (No. 2) as above, with continuations, was supplied by the Lyon Office to Lord Tweedmouth, who sent it to Sir Albert Woods, Garter King of Arms, for communication if necessary to the editors of the peerages.

This then was the pedigree furnished me for my peerage. I confess I was dissatisfied with it, and I accordingly instituted an independent investigation. This had only partially proceeded when the time for the publication of my peerage had arrived; I thereupon embodied my views—which were necessarily cramped—in a note to the pedigree in that work, and which is reprinted at the beginning of this article, pp. 64, 65 (paragraphs 1—4, etc.). Not so Ulster King of Arms, who—loyal to his brother officers, Garter and Lyon—inserted the pedigree in his peerage in the same state as he received it, viz., with all its imperfections.

PARAGRAPH 11.—It will now be seen that various accounts are issued by the Lyon office of the issue of James, the father of Joseph, who is the only son given in Pedigree No. 1, see page 64, while Pedigree No. 2 gives another named Symon; and a third account—derived from the Lyon office, by the same authority as in the case of Pedigree No. 3, next page—goes further still, and states that James, 2nd son of Lord Ratho, had 3 sons, viz.:—

- (1) Symon, admitted burghess 1571.
- (2) Joseph, admitted burghess Edinburgh 1602.
- (3) James, designed merchant burghess, &c., died s.p. in or about 1603.

With these three progressive accounts before us, viz.,

- (i.) Joseph (see No. 1 Pedigree, page 64),
- (ii.) Symon and Joseph (see No. 2 Pedigree above),
- (iii.) Symon, Joseph, and James (see paragraph 4),

we can perhaps follow the construction of this Babel of genealogy.

As the three names affiliated above, which appear here for the first time, have dates assigned them, I am led to ask why the date of Symon's admission as a burgess, 1571, and of his death (? 27 June, 1582), are "suppressed" in Pedigree No. 2, on the preceding page; and also upon what principle Michael, son of James Marjoribanks, admitted 1564, is excluded. As burgesses were admitted at all ages, it is impossible to determine from the dates of those admissions the relationship which may subsist among those of any given name, and I therefore discredit Lyon's statement that Symon was brother of Joseph, simply because their fathers each bore the same Christian name, more especially as there seems to have been three, if not four, James Marjoribanks living at the same period. The following is the genealogical data from Simon's will:—

Simon Marjoribanks, burgess of Edinburgh: testament testamentar
24 June, 1581, proved 30 Nov. 1583, names *inter alios*, sons William
and Clement (no Joseph or James named); Commissariat of Edinburgh, vol. 12.

The following extract may be interesting:—

"Item there was award to the said venerable Symon Marjoribanks,
"merchant burgess of Edinburgh, be James Marjoribanks, elder
"burgess of Edinburgh, called Laird Marjoribanks, the sone of
"anij lib. xij's xli."

(E.) *Disproof of the statement in the official Lyon pedigree that Thomas Marjoribanks, son of the Lord clerk register, was ancestor of Marjoribanks of Balbairdie.*

PARAGRAPH 12.—The special point in this pedigree which I here select for criticism, is the above statement that Thomas, ancestor of Marjoribanks of Balbairdie, was son (seniority not stated) of Thomas Marjoribanks of Ratho. Immediately following this note will be found Lyon's account, as extracted by the Rev. George Marjoribanks at the Lyon Office, Feb. 1882, for insertion in my proposed history of this family. According to this, the third of these conflicting official pedigrees, the ancestor in question was a certain, or rather uncertain John, hitherto unheard of, but now duly and, strange to say, rightly installed for the first time as son and heir of the lord clerk register.

SECTION III.

The following is the discredited portion of

No. 3 "Extract of pedigree, MARJORIBANKS OF MARJORIBANKS,
Taken from Lord Lyon's account in *Lyon Office, Edinburgh*,"
by the Rev. George Marjoribanks, February, 1882.

THE family of Marjoribanks derived, etc., etc., etc. . . . Thomas Marjoribanks, lord clerk register, by his wife, Janet Purves, had 4 sons and 3 daughters.

- (1) John, ancestor of the family of Balbeardie and Marjoribanks, in the county of Edinburgh.
- (2) James, ancestor of Leuchie, Hallyards, Lees and Preston.
- (3) Thomas (the respective seniority of James and Thomas is not quite clear).
- (4) Symon.

His daughters were:—

- (1) Barbara, died unmarried about 1520.
- (2) Janet. (3) Bessie.

There is no doubt as to the enumeration of those sons, which are however wrongly placed here, see extract from "Privy Seal Register," paragraph 12. Symon (at least) is erroneously inserted, if Barbara be rightly placed, she must have died in infancy; perhaps the Lyon Clerk depute will state why Robert and Margaret are omitted, especially the latter, as her will is extant.

JOHAN MARJORIBANKS, eldest son of the clerk register, pre-deceased his father. He married Helen Reid, and left 2 sons.

- (1) Thomas, of Ratho, &c. (whose line is supposed to have become extinct on the death of his grandson Thomas).
- (2) John, of Balbeardie (the evidence of John, of Balbeardie, being brother of Thomas is inferential rather than direct); he is also described as John, of Balbeardie, apparently brother of the younger Thomas, of Ratho: is found witnessing the baptisms of the children of James Marjoribanks, son of Thomas, third son of the Clerk Register (?)—he married Jean Stewart; he died in or shortly before 1642, and had two sons.
 - (1) Thomas, who succeeded him, and
 - (2) John, born 1626.

THOMAS MARJORIBANKS, of Balbeardie, was a minor at his father's death, 1642, etc., etc. About 1673 his arms were matriculated in the Lyon register, where he is designated representative of the family of Marjoribanks of that ilk, etc.; he m., 1676, Anna Seton, and died 1704, and had 2 sons.

- (1) Thomas, of Marjoribanks, who married and died s.p., and
- (2) Andrew, of Balbeardie, who married and was ancestor of Marjoribanks of that ilk.

(*) This sentence plunges us once more into the unknown abyss of Marjoribanks genealogy. Thomas was 2nd not 3rd son of the Clerk Register. His admission as burgess of Edinburgh in 1606, followed by that of his son James, the latter, in the same year, is given at page 67. I find no other entry than that John, of Balbeardie, was a witness to the baptism, 15 July 1638, of John, son of James Marjoribanks, hat maker, and Catherine Williamson; this James was not son of Thomas, as stated above, but grandson, *i.e.* son of James son of Thomas; perhaps the Lyon Clerk Depute can give a further supply of witnessing entries.

(F.) *Disproof of the statement in "the Lord Lyon's account" that Marjoribanks of that ilk is descended from John, younger son of John Marjoribanks, of Ratho.*

PARAGRAPH 13.—Pedigree No. 3 practically states that John, eldest son of Thomas Marjoribanks, lord clerk register, was inferentially father of a younger son, John of Balbeardie, ancestor of Marjoribanks of that ilk. But the "Thomas of Ratho, etc.," assumed in the above pedigree to have been the elder of the two sons, is actually proved by documents which I have discovered, and which I now quote in full (in anticipation of another emphatic denial by the Lyon Clerk Depute), to have been beyond a shadow of doubt a posthumous and only child. His younger brother must have therefore been produced by a process of which the less said the better.

The following extracts from the Privy Seal register will, I presume, be accepted as putting an end once and for all to the alleged claim of the Lyon office that Balbeardie descends from Ratho:—

"10 Dec. 1550. Gift by the Queen to Mr. Thomas Marjoribanks, "of Ratho, and his assignees, then to his lawful son Thomas M. and "his heirs male, then to James M., also his son and his heirs male, "then to the heirs whomsoever of said Mr. Thomas of the ward, and "nonentry of all lands, etc., which belonged to the deceased John "Marjoribanks, fear of Ratho, with gift of the marriage of the heir "male or female yet unborn of said John, his relict Helen Reid being "with child." Register of Privy Seal, vol. 24, fol. 38.

"30 May 1551. Gift by the Queen in similar terms to the same, "but mentioning that the child of John, now born, is Thomas Marjoribanks." Register of Privy Seal, vol. 24, fol. 68.

I venture to submit that the guesses at the affiliation of John as junior to a posthumous child are "opposed to nature, to reason most absurd." After this astounding disclosure, we may learn what value to assign to the fact that Thomas Marjoribanks, the son of this unfortunate child was "designated representative of the family of Marjoribanks of that ilk," etc., at the Lyon office in 1673, on the occasion of which official proceeding (!) he registered arms, as—we are reminded by the Lyon Clerk Depute—"representative of Marjoribanks of that ilk."

(G.) *Disproof of the statement in the Lyon Office "proved and registered pedigree" that Joseph Marjoribanks was son of Joseph Marjoribanks, of Leuchie, by Margaret Sinclair, his wife.*

PARAGRAPH 14.—The pedigree states that Joseph, of Leuchie, born 1642, married in 1670 Margaret Sinclair, by whom he had a "*proved and registered*" son Joseph, a merchant in Edinburgh, died s.p. 1707. That the above marriage did take place, and that the lady was buried in Greyfriars 12 May 1672, leaving an only child, Margaret, baptized 16 Feb. 1672, there is no doubt; but that a son Joseph was the issue thereof is conclusively disproved by the following document:—

"THE testament dative of Joseph Marjoribanks, son to the deceased Joseph Marjoribanks, of Leuchie, merchant in Edinburgh, and sailor on board the ship *St. Andrew*, belonging to the Company of Scotland, trading to Africa and the Indies, who died in the month _____ year, given up by Margaret Brown, relict of Thomas Edgar, churcheon apothecary, burgess of Edinburgh, formerly spouse to the said deceased Joseph Marjoribanks, of Leuchie, and mother to the said deceased Joseph Marjoribanks, sailor, decerned as only executrix to the said deceased."

"Adam Brown, merchant, and late dean of gild, of Edinburgh, cautioner. Commissariat of Edinburgh, vol. 83, 26th Sept., 1707."

It may be worth remarking that Joseph Marjoribanks, the younger, is styled "a merchant in Edinburgh" in pedigree No. 1, and "an African traveller" in pedigree No. 2; these may both be accurate. It is believed that the explanation of his designation in the above testament will be found in the fact that he was concerned in the ill-fated Darien expedition, and may have been compelled to return "before the mast." John Marjoribanks, of Edinburgh, merchant, subscribed £500 to the expedition 25 March, 1696, and Mrs. Margaret Marjoribanks, daughter of Mr. Andrew Marjoribanks, contributed £200, 31 March, same year.

IMARVEL, indeed, to know what Lord Tweedmouth will now think of his pedigree and its inquisitor, more especially when "settling day" comes round, for I am sorely afraid that the Lyon office will have to "carry over" very heavy "differences" of opinion; will he still, as in the past, echo "content," and stand loyally by the Lyon King of Arms, and by his "proved and registered pedigree," or will he chafe under the painful conviction that the Lyon office has made him "the tennis ball" in spite of himself? For to the authorities of that office, and to them alone, he must attach the responsibility for his unenviable position, and from them he must require reparation for those proceedings which have culminated in placing an honoured name upon the dissecting table of the public press. My "odd comments," although hidden away in a vast peerage, have already displeased him mightily, and his ill favour, like the sword of Damocles, is still my nightmare; for as a solatium, he solemnly promised me that he would certainly take care to bring the matter before Mr. Gladstone, and that he would also tell Lord Granville, whom he knew I had offended already. I fear now that my honest doubts must entail most terrible consequences.

If, as I suppose, these promised threats have not been carried out, I think that a more fitting opportunity has now arisen for their execution. I hope, too, that the Chancellor of the Exchequer may know how desirable it would be that the stamp duty should be taken off armorial grants, or that a duty should be placed upon all illicit coat armour—it is only fair to the man who gets a grant and pays the Government stamp—even a penny on each quire of note paper should not be objected to, and would yield a handsome revenue. But I must return to the more serious purposes of this paper.

The Lyon Clerk Depute has dubbed my peerage note "Odd Comments." I think that even he—now that I have enabled him to form an approximately correct estimate of this "proved and registered pedigree" (and also of the two unproved and unregistered pedigrees, all on record in the Lyon office)—will admit that my note was very necessary, and that his rejoinder was very "odd," indeed the most unfortunate that he could possibly have made.

I have now concluded my "soft impeachment" of the Marjoribanks pedigrees—an impeachment forced upon me by the imprudent comments of the Lyon Clerk Depute. I regret that it should be so lengthy, but the summaries at the commencement lay bare at once the points I have undertaken to prove. I think the public will maintain that if a pedigree such as this be a fair specimen of the Lyon office records, the sooner it is made an appanage of the College of Arms in London the better. When the offices of Lyon and Ulster were made Government departments, they should also have been made adjuncts of the Herald's College, which would have treated their business with the same careful scrutiny as its own. If I appear to have been more severe than the case demands, my retort must be that I am but borrowing some of the more telling adjectives now rusting in the stand of arms of the Lyon Clerk Depute.

"MR. JOSEPH FOSTER ON THE RETURN OF MEMBERS OF
PARLIAMENT":—

STODART ON FOSTER.

"If Mr. Foster had gone carefully over it and corrected these (*i.e.* mistakes), he would have done good service, for which every student of history and genealogy would have been grateful; but he would have filled very few pages of his periodical. He has, however, preferred to print a separate list for each kingdom, which is to contain every name "supplemented with genealogical notes," and he adds,—"this is peculiarly my own ground."

"... But we would ask Mr. Foster to refrain from printing and circulating any more of such nonsense as his pages are full of."

"For instance, Colonel James Dundas was not grandfather, but great-grandfather, of the late George Dundas, C.M.G., M.P. Thomas Dundas, M.P. 1768, did not purchase Fingask and Cannonhall; these estates were bought by his father Thomas, a merchant and laird of Edinburgh. Sir Walter Dundas did not sit 'as a minor baron' 1609 and afterwards. This is a mistake which occurs on almost every page; after 1587 the minor barons ceased as such to attend parliament, the representative system was established, and the proper designation is 'Commissioner for the shire of Linlithgow.'"

FOSTER ON STODART.

Why suppress the fact that *Collationist*, part 4, contains a host of omissions and corrections for the Irish Return by Rev. A. B. Heavan? So many that the authorities at Dublin Castle have a new edition under contemplation!

I can testify to the excellency of the compilation of the Scots return, and the more important mistakes in this also have been supplied by Rev. A. B. Heavan.

The statement that "every name" was to be supplemented with genealogical notes is Mr. Stodart's, and I need hardly add is inaccurate.

The accuracy of this sentence will be disposed of in the ensuing remarks. As to its taste, comment is superfluous; but have I not shown with what accuracy it may rather apply to the proceedings and records of the Lyon Office?

Col. Dundas' relationship is a misprint. Thomas Dundas is said to have purchased Canon Hall on the authority of his present representative.

Sir Walter Dundas is not said by me to have sat as a minor baron after 1609. Really Mr. Stodart should be more careful.

The Lyon Clerk Depute plays the pedant to perfection when he is compelled, in order to bolster up a weak case, to carp at the designation "members of parliament;" the running heading of the official return is

"Names of members returned to serve in parliament;"

in my book it is

"Members of parliament, Scotland."

Although commissioners for burghs is a common expression, I think that of "commissioner for shires" appears only once in the return (p. 540); but this is hair-splitting. If Mr. Stodart still persists that "this is a mistake which occurs on almost every page," I fear he will be alone in the poor consolation which the discovery of such a mate's nest affords him, and which he is not candid enough to pronounce an anachronism.

STODART ON FOSTER.

"At page 62 it is asserted that James Carmichael, Commissioner for the burgh of Dumfries (Mr. Foster calls him M.P.—a designation never used in Scotland then) 1593, was son of Gavin Carmichael, and grandfather of James, 1st Lord Carmichael, whose grandson was created Earl of Hymilford. This remarkable statement is a mere conjecture," etc.

"Elliott, Sir Gilbert, of Stobs, knight banneret, at the battle of Scone 1643."

"Ewart.—Among the family of this name is included Nicholas Udward."

"Fletcher, Sir Andrew, Lord Innerpeffer."

"Gibson, Sir Alexander, of Durie, was not son of Sir John, but of Sir Alexander."

"Gilmour—There were three baronets, Sir Alexander, Sir Charles, and Sir Alexander, not four, as stated."

"Graham, John, of Finty 1678—a mistake; he was not a commissioner to parliament."

"There is one correction in the *Collectanea*."

FOSTER ON STODART.

No such "assertion" is made at page 62. The note to James Carmichael is simply an insertion of data relative to a James Carmichael, and is admittedly "a mere conjecture," as Mr. Stodart eventually acknowledges.

I am much obliged to Mr. Stodart for correcting my extracts from Playfair, and from Bruntoo & Haig, and also for the Udward correction, which, however, was guarded by a cross reference.

This remark is misleading, for my words are Sir John, "said to be son of Sir John."

This Gilmour note is a valuable one, as it corrects all former accounts of the baronetcy.

It would have been much more manly to have said a mistake made in the *parliamentary return* (but see note on page 583), and not by Mr. Foster.

The Lyon Clerk depute is in haste. Let him refer to Scots M.P.'s, page xvii., where he will find what he evidently supposes will not be forthcoming.

In the foregoing is contained the principal charges of inaccuracy, saving the four references to the doubtful baronetcies, of which I must treat separately. But I must first refer to the following passage in Mr. Stodart's article:—

STODART ON FOSTER.

"A casual glance having led us to doubt whether the promises so made to his subscribers as to accuracy, identification, etc., were being fulfilled, we have gone over the pages, 113—176, devoted in Part V. to Members of Parliament—Scotland."

FOSTER ON STODART.

The courteous Lyon Clerk Depute is, I think, needlessly—and, I verily believe, unwittingly—offensive in his choice of words; how far in his professed zeal for accuracy he is anxious himself to be accurate may be understood when I state that *his* criticisms range over at least three times the ground he would have his unwary readers suppose, viz., from page 28 (if not from page 1) to 176, instead of from page 113 to 176!

Excepting four references to doubtful baronetcies, which I shall explain on the next page, there remain eleven specific blunders in the 176 pages, nine of which I have discussed above (four of these I have explained away), leaving the two that remain and a few trivial affairs to take care of themselves.

"Misprints abound."

Twenty misprints, extending over at least 148 (perhaps 176) pages, not 64, as the Lyon Clerk Depute would have it inferred, are quoted; these contain two blunders from the parliamentary return, and Mr. Stodart at least stumbles twice in his anxiety to make out a case. How then can he justly state that misprints abound? Do not these figures show at a glance that the animus for the attack is not to be found in the blunders of the work on the Scots M.P.'s? I feel that these criticisms are barely worth the notice that I have assigned them, and which I consider is called for merely by the warmth and the inaccuracies of the attack.

With reference to the discredited baronetcies, my critic singles out for "odd comments," the names of Grant, Hamilton, Sir Adam Hay, and Hay of Alderston.

STODART ON FOSTER.

(1) . . . Sir Patrick Grant entered his arms in the Lyon Register, 12 Jan., 1753, when he was recognized as a baronet, and the arms confirmed to him were those recorded in 1673 by (*sic*) Sweton Grant of Gartenbeg, father of the first baronet."

"Sir Alexander, whose title Mr. Foster tries to discredit, had on 8 July, 1761, the benefit of the most direct recognition that it was in the power of the Crown to afford, as he had a royal warrant for supporters, in which he was styled "our trusty and well-beloved Sir Alexander Grant of Dalvey. Baronet. This and the supporters were recorded in the books of the Lyon Court, 15 April following," etc., etc.

(2) "Hamilton, Sir Thomas of Preston. The baronetcy conferred on his son, Sir William, is said to be extinct. The late distinguished Sir William Hamilton, Professor of Logic in the University of Edinburgh, was served heir in 1816 and the evidence in this case was got up with unusual care and completeness by himself and the eminent peerage lawyer, John Riddell, advocate."

(3) "Hay, Sir Adam, is said to have 'assumed the baronetcy on the death of his brother John, M.P.,' and Sir John is called 'sixth baronet by assumption,' with a reference to 'Chaos' Foster's Baronetage.' The pedigree of this family has never, as far as we know, been called in question." . . . On 9 Nov., 1805, James Hay, of Haystoun, physician in Edinburgh, was served "heir male general of his cousin Sir James, of Smithfield, baronet," etc., etc.

(4) "Another family of this name, unwarrantably thrust into 'chaos' by Mr. Foster in his 'Baronetage,' is Hay of Alderston."

FOSTER ON STODART.

I would ask in all seriousness, what does this statement mean? The character of a "service" is known, but to estimate the value of a "recognition" is even a less serious matter, it being evidence of a payment of Lyon's fees and nothing more, not even the suspicion of a service or pedigree is mentioned.

Opinions may readily differ as to what is or what is not the most direct recognition of the Crown; suffice it to say, that nothing short of Letters Patent will create a baronetcy, and the Crown *cannot* and does not wittingly recognize any other mode; whether it be a grant of supporters or of anything else, and whether "recorded in the books of the Lyon Court" or not.

From what I have said of Scottish services and Scottish pedigrees, I need hardly say that not the slightest reliance can attach to them in the absence of proofs. I have great respect for Mr. Riddell as a genealogist, but where is the evidence in this case? His name rather favours the theory that the pedigree is proveable, and it may be well that the Lyon office did not work it up.

Dr. William Chambers and the Lyon office are the sponsors for this title; why continue to go outside the Lyon office for evidence? What an outrage on genealogy and common sense to state that a man living in 1805 is cousin to a man who died in 1683, more especially as the common ancestry is said to have had its origin in 1525! surely this is calculated to mislead English people. The fifth baronet, so called, succeeded 21 Oct., 1810, why then was his son John admitted advocate nearly a year later, viz., 29 June, 1811, as son of John Hay, merchant of Edinburgh, instead of as son of Sir John Hay, Bart.?

Sir John Hay, of Alderston, created a baronet of Nova Scotia, with remainder to his heirs male, line extinct on the death of his grandson; there should be no difficulty in obtaining the full particulars of Sir John's brother, Alexander, the father of Thomas, lord Huntingdon of Session, and ancestor of the present baronet. Such is the unwarrantable wording of my note in "chaos;" my contention is merely that the particulars of the descent should be given, and to that I adhere.

MR. FOSTER'S PEERAGE.

STODART ON FOSTER.

"We have turned to the accounts of some of the latest created peers and find them all to contain errors."

(1) "Lord Derwent's dexter supporter is blazoned, a lion naturally crowned, the wood-cut gives an eastern crown."

(2) "Lord Tweedmouth's proved and registered pedigree is not satisfactory to Mr. Foster, who makes some odd comments," etc., etc. See pp. 64, 65.

(3) "The Earl of Home's arms are incorrectly represented; the Douglas coat should not be in the centre of the shield, but in the centre of the second and third quarters."

FOSTER ON STODART.

This is a shameless innendo; nine new peerages were created last year, and this statement involves the theory that only three out of the nine were examined, and that these happened to be the only ones in which errors are to be found,—the reader will be able to judge whether this is probable or not. I may add that the errors in question are specified in the opposite column.

I regret the mistake in the blazon.

I have already disposed of this paragraph at great length.

The engraving of Earl Home's arms was approved by his agents. The mistake, however, has its origin in the difference of blazon between English and Scottish Heraldry.

HERE terminates my detailed criticism of the Lyon Clerk Depute, who concludes his article with some hackneyed remarks upon heraldic art which require no further notice; whilst I opine that none of my readers will question for a moment that he has earned a lasting reputation for rashness. In his wisdom he may have gleefully supposed that he had killed the snake, but in his sadness he must penitentially admit that he has not even "scotched" it.

My impression is that when he gets thus far in his perusal he will devoutly wish that I had indeed taken his slipshod advice to confine myself "to the pretty wide field of English genealogy" as he so prettily terms it, but that wish will now be suggested by feelings very different from those which originally prompted it.

As I consider that I have made out a strong case in support of my opinions, I think I may fairly conclude by making an unprejudiced appeal to impartial genealogists and critics, as to the worthlessness of "services by jury," when questions of genealogy extending beyond two or perhaps three generations have evidently been decided upon; evidences for which, if they ever were forthcoming, have never been considered worthy of being preserved in any shape or way. It is well known that ever since I have made genealogy a study I have resolutely turned my back upon these unrealities, because this worthless yet pretentious system has so firmly become an inherent part of Scottish genealogical procedure, that the Lyon King of Arms does not hesitate to make it the basis for serious transactions. These results will be found in "Chaos" in my Baronetage.

But I apprehend that not even the greatest enemy to the Lyon Office procedure would ever have imagined for an instant that it was within the range even of probability that a *proved and registered peerage pedigree*, compiled in that office with all the deliberation incidental to so important a record, and from presumably irrefragable evidence, should be found on examination to contain even a slip of the pen, much less to be riddled with mis-constructions or to bristle with mis-statements.

With the knowledge that all the business of the Lyon Office incidental to and founded upon these senseless services must be practically invalid, and with such an example of pedigree-making as the exposure which this article affords, I contend that the value of its modern records is reduced to a minimum, that the opinions of its officers upon these subjects are deprived of the respect to which they are naturally entitled, and that the very *raison d'être* of this public office is hereby gravely challenged.

To many the accuracy of this particular pedigree may seem a small matter. But the fact that it is possible to drive a "coach and six" through a Lyon office pedigree—laden with its own blunders—is surely of some significance. It is a serious matter that a government office—however obscure it may be—should allow itself, in the light of this nineteenth century, to be in a position in which its officers and their clients can justly be held up to ridicule.

J. FOSTER.

COLLECTANEA GENEALOGICA.

EDITED BY

JOSEPH FOSTER,

AUTHOR OF "THE PEERAGE AND BARONETAGE," AND OTHER GENEALOGICAL WORKS.

CONTENTS:—Parts 1 to 8.

- 1. COLLECTANEA.**—Introduction; Reg. 7. Ulster King-of-Arms, or the infringement of the royal prerogative in coat armour and baronetcies, pp. 1-5. PEDIGREES: Disraeli, of Hughenden, pp. 6-16, etc.; Pennington, of Philadelphia, pp. 27-30; and Barnaby, of Leicestershire, WITH ROYAL DESCENT, pp. 20-26. NOTES AND QUERIES: Rachel, Lady Kingston, pp. 17-19; the Carnwath Peerage, etc. etc., pp. 31-32. Errata in Official Return, Irish House of Commons, by Rev. A. B. Beavan, pp. 33-41. The Barony of Arklow, by J. H. Round, esq., M.A., pp. 42-48. Burkes' Extinct Peerage; its contradictions, pp. 49-52. Notes and Queries, p. 52. Spurious coat armour, pp. 53-55. TENNYSON PEDIGREE, WITH ROYAL DESCENT, pp. 56-59. Additions to Disraeli Pedigree, p. 60. The Lyon Office and the Marjoribanks Family, pp. 61-76.
- 2. REGISTER OF ADMISSIONS TO GRAY'S INN, 1521—1881.**—These entries refer to the gentry and their younger sons, and as it is customary to record the parentage of each student on his admission, so it is equally certain that no other series of documents outside the College of Arms—saving the admissions to the various Universities—afford so much picked information relating to our aristocracy, or throw so much additional light upon their genealogical history.
- 3. A BIOGRAPHICAL DICTIONARY OF THE MEMBERS OF PARLIAMENT.**—These lists are reprinted in alphabetical sequence from the Parliamentary Return of 1880, with short Biographical or Genealogical Notes added to those names which can be readily identified; CHART PEDIGREES are also given, showing at a glance the blood relationship between the various members of the principal governing families. England, Scotland, and Ireland are treated as separate works.
- 4. THE MARRIAGES OF THE NOBILITY AND GENTRY, ALPHABETICALLY ARRANGED, FROM 1655 TO 1880.**—This remarkable series commences (by permission of Col. CHESTER) with the Westminster Abbey registers; and is continued from the *Historical Register* and *Gentleman's Magazine*, concluding with the Matches from the *Times*, 1865 to 1880. The Marriages from the *Historical Register* and *Gentleman's Magazine*, 1727 to 1867, are edited by Miss ADA C. GARDNER. This lady is great-niece of Rev. James Dallaway, M.A., F.S.A., Earl Marshal's Secretary, better known as the historian of Sussex.
- 5. MUSGRAVE'S OBITUARY.**—The Deaths of the Nobility and Gentry of Great Britain and Ireland prior to 1800, compiled originally by SIR WILLIAM MUSGRAVE, Bart., from printed works; with which is incorporated (by permission) the Westminster Abbey registers, edited by the late Col. CHESTER, D.C.L.
- 6. FUNERAL CERTIFICATES OF THE NOBILITY AND GENTRY OF IRELAND, 1607 TO 1729.**—These are reprinted from the British Museum copy of the office book in Ulster's Office, Dublin Castle, and are accompanied by Tabular Pedigrees and copious annotations.
- 7. SIMS' INDEX TO HERALD'S VISITATIONS, ETC.**—An Alphabetical List of Families whose pedigrees are recorded in the Herald's Visitations and other MS. in the British Museum, including additions from the collections of Sir GEORGE NAYLOR, Garter King of Arms, and Sir WILLIAM BETHAM, Ulster King of Arms, relating to families in Ireland and Scotland. This will be the first general Index to these Visitation Pedigrees printed in alphabetical order.

N.B.—Each of the above subjects has an independent pagination, so that each may be bound separately on completion.

Now Ready, Vol. I., 768 pages, consisting of Parts 1 to 6, Price 2 Guineas.



